THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI CHIMANBHAI MEHTA): (a) and (b) Ministry of Law and Justice have advised that the earlier decision to increase the strength of the Teachers' Associations from 4 to 5 and reducing the strength of the Non-Teaching Staff Association from 2 to 1 in the Staff Council without the matter being discussed in the council was not consistent with clause 22 of the scheme. According to them any amendment in allocation of seats on the Council for various associations could be made after necessary discussion in the staff council, while calling the meeting of the Council for the purpose, the Kendriya Vidyalaya Sangathan (KVS) may invite the representatives of the various associations as originally decided in the scheme and the matter about split in one of the Teachers' Associations may also be placed before the staff council as per clause 22 of the scheme.

Pending calling of the Council meeting an informal meeting of representatives of recognized service organisations was held by the Vice-Chairman Kendriya Vidyalaya Sangathan on 4.5.1990.

Duty Hours of Chowkidars in Kendriya Vidyalaya Sangathan

441. SHRI ISH DUTT YADAV: Will the PRIME MINISTER be pleased to refer to answer to Unstarred Question 1823 given in the Rajya Sabha on the 27th March, 1990 and state:

(a) whether duty-hours of chowkidars of Kendriya Vidyalaya Sangathan conform to the duration of duty-hours prescribed for the Central Government Group 'D' employees as also those of Public Sector Undertakings, and

(b) if so, what are the details thereof and if not, the reasons for not granting them overtime allowance for work hours done by the chowkidars of KVS

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI CHIMANBHAI MEHTA): (a) and (b) The working hours of Chowkidars starts at the closing of Offices/Vidyalayas on the duty day and end at their opening, the subsequent day. These working hours have been fixed taking into account the nature of, and the time at which, duty is to be performed by the Chowkidars. If they have to continue on duty beyond the closing the duty time as mentioned above, they are either given compensatory leave or overtime at approved rates.

Recognition of factions of Rashtriya Kendriya Vidyalaya Adhyapak Sangh

442. DR. NARREDDY THULASI REDDY: Will the PRIME MINISTER be pleased to refer to answer to Unstarred Question 1760 given in the Rajya Sabha on the 27th March, 1990 and state:

(a) what was the membership strength required for recognition of a teachers' Association on the date the two factions of Rashtriya Kendriya Vidyalaya Adhyapak Sangh Organised their parallel conventions in Delhi and Kanpur in September, 1989;

(b) the reasons for which the Sangathan was allowed to use the same RKVAS:

(c) in what manner the two factions of RKVAS have been clubbed with recognised association in the reply, while it is held that no faction has been recognised by Kendriya Vidyalaya Sangathan;

(d) what is the mode and methology of ascertaining the veracity of membership strength to be submitted by the recognised association;

(e) whether it has been ascertained; and

(f) if so, what are the details thereof and if not, when it is to be done?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI CHIMANBHAI MEHTA): (a) The Association should have a minimum membership strength of 15 per cent of each of the categories of employees which they purport to represent.

(b) and (c) The enrolments figures etc. have been called from both the factions so that the question of their recognition and ultimate representation is discussed and a decision taken in the staff Council.

(d) to (f) The Association is expected to submit the list of the members with proof of their membership. The last date of submission of membership lists etc. has been extended upto 15.5.90 on the requests of some of the associations.

Constitutional and Legal validity regarding promotions in Kendriya Vidyalaya Sangathan

443. DR. NARREDDY THULASI REDDY:

SHRI ISH DUTT YADAV.

Will the PRIME MINISTER be pleased to refer to answer to Unstarred Question 1782 given in the Rajya Sabha on 27th March, 1990 and state:

(a) what is the stipulated period after which a promotee PGT, Vice-Principal and Principal in Kendriya Vidyalaya Sangathan can be/is debarred from promotion for a period of one year on declining promotion;

(b) what is the constitutional and legal validity of enforcing promotion;

(c) details of rules sub-rules/clauses/section under which disciplinary action can be resorted to if the promotee declines the enforced promotion; and

(d) what are the details of such action taken during the preceding three years?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI CHIMBANBHAI MEHTA): (a) The stipulated period after which a promotee PGT, Vice-Principal and Principal is debarred from promotion is one month or date of refusal of such promotion, whichever is earlier. This period is extendable in individual cases, depending upon the circumstances.

(b) to (d) According to the existing instructions, which are based on Government of India Instructions when a Kendriya Vidyalaya Sangathan employee declines promotion to a higher grade when offered may make a written request to the appointing authority declining the same giving reasons therefor. Refusal of promotion would entail no fresh offer of promotion being made for a period of one year from the date of refusal. The employee, on eventual promotion will loss seniority *vis-a-vis* erstwhile juniors promoted earlier, irrespective of whether the post in question is filled by selection or seniority. In case the reasons adduced by the employee for refusal of promotion are not acceptable to the appointing authority, the promotion will be enforced. If the promotion is still refused, the employee is liable for disciplinary action under the rules. No promotion has had to be enforced during the last three years by the Kendriya Vidyalaya Sangathan.

Promotion of Post Graduate Teachers to Vice-Principal for SC/ST in Kendriya Vidyalaya Sangathan

444. SHRI ASHOK NATH VERMA: Will the PRIME MINISTER be pleased to state:

(a) whether there is any reservation for Scheduled Castes and Scheduled Tribes persons in promotion of Post Graduate Teachers of Kendriya Vidyalayas to the post of Vice-Principal;

(b) if so, what are the details thereof;